IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.70109-M of 2006

DATE OF DECISION:19.12.2006

Ramesh Mago .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Akshay Bhan, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

Shri K.S. Sidhu, Advocate
for the complainant.

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Petitioner Ramesh Mago apprehending his arrest in a non-bailable offence in case FIR No. 232 dated 22.9.2006 under Sections 380/506/34 IPC and Section 420 IPC added subsequently, registered at Police Station Basti Jodhewal, District Ludhiana, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that the aforesaid FIR has been lodged on an application submitted to the Chief Minister, Punjab, pertaining to the non-payment of some amount arising from business transactions between petitioner and the complainant, which was allegedly due in the year 1997. Counsel contends that on earlier occasions also i.e. in the year 1998, 2000 and 2006, complainant made complaints to the police, but the allegations levelled were not found to be correct, therefore, no action was taken. Now, for the fourth time, the complaint was made to

the Chief Minister, which was sent to the police, on the basis of which FIR has been registered. Counsel for the petitioner also refers to the documents supplied by the complainant himself to the Income Tax department, which shows that only an amount of Rs. 6,188.75 was due against the petitioner, which according to the counsel has already been paid by the petitioner.

Counsel for the petitioner further contends that in view of the order dated 10.11.2006, the petitioner has joined the investigation. Counsel for the respondent-State on instructions from Rawail Singh, ASI does not dispute this fact.

In view of the above, the interim bail, granted vide order dated 10.11.2006 is made absolute subject to the same terms and conditions.

Disposed of accordingly.

December 19, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**